

REGISTER OF CLASSIFICATION DECISIONS

Date of entry in Register: 28 July 2000
Name of applicant/court: Comptroller of Customs
Applicant to the Labelling Body: Not Applicable
Title of Publication: Untitled
Other Known Titles: Gameboy Magazine Page 3
Director: Not Applicable
Producer: Not Applicable
Publisher: Not Stated
Author: Not Applicable
Format: Magazine Page
Country of Origin: Not Stated
Language: Not Applicable

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Components of film originally examined: Not Applicable.

Feature: Running time:
Trailers: Running time:
Total Running time:

Excision/Alteration: Not Applicable.

Reason(s) for Excision:

Not Applicable.

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Classification Decision:

Objectionable except if the availability of the publication is restricted to the importer.

Display Conditions:

Nil.

Descriptive Note:

Not Applicable.

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Direction to issue a label has been given on: Not Applicable.

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SUMMARY OF THE REASONS FOR DECISION:

The untitled magazine page also known as: *Gameboy Magazine Page 3* is classified as:

Objectionable except if the availability of the publication is restricted to the importer.

The publication is a single page torn from a magazine, one of 17 such pages submitted for classification. The page is double sided with a single full-page photographic image on both sides. The page explicitly depicts sexual acts between teenage or young adult males whose age is difficult to determine.

The classification is because of the extent and degree to which, and the explicit manner in which, the page depicts sexual conduct between what appear to be young persons, and the resultant likely injury to the public good if the pages were to be made more widely available in any form.

The page is not objectionable outright for promoting or supporting or tending to promote and support the exploitation of young persons for sexual purposes. The age of the participants in the images is ambiguous. The pages are stated to be for the importer's own use and this is likely given their form. As pages torn from a whole magazine their impact is limited. Restricting this page and the other very similar pages in the submission to the importer minimises the possibility of any likely public injury by preventing the page being shown or made available to any other party, while impinging on the rights and freedoms of the individual to a minimal extent in terms of the New Zealand Bill of Rights Act 1990.

OFLC Ref: 9901852